

DECLARATION FOR PATENT APPLICATION

As the below-named inventors, we hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled OPTOINJECTION METHODS, the specification of which was filed on September 21, 2001 as Application Serial No. 09/961,691 (Attorney Docket No. P-ÖN 4686).

I hereby state that I have reviewed and understand the contents of the above-identified application, including the specification and claims.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to myself to be material to patentability as defined in Title 37, Code of Federal Regulations, Sec. 1.56.

Under Sec. 1.56, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or (2) It refutes, or is inconsistent with, a position the applicant takes in: (a) Opposing an argument of unpatentability relied on by the U.S. Patent and Trademark Office, or (b) Asserting an argument of patentability.

Inventors: Koller et al.
Serial No.: 09/961,691
Filed: September 21, 2001
Page 2

I hereby claim the benefit under Title 35, United States Code, § 120 of the prior United States applications listed below and---insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States applications in the manner provided by the first paragraph of Title 35, United States Code § 112--I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to myself to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 that became available between the filing date of the prior applications listed below and the filing date of this continuation-in-part application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
09/728,281	November 30, 2000	pending
09/451,659	November 30, 1999	pending
09/049,677	March 27, 1998	issued
08/824,968	March 27, 1997	issued

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventors: Koller et al.
Serial No.: 09/961,691
Filed: September 21, 2001
Page 3

Full name of first inventor: Manfred R. Koller

Inventor's signature: Manfred R. Koller

Date: 12/3/01

Residence: San Diego, California, USA

Citizenship: United States of America

Post Office Address: 18565 Aceituno St.
San Diego, California 92128 USA

Full name of second inventor: Elie G. Hanania

Inventor's signature: Elie Hanania

Date: 12/3/2001

Residence: San Diego, California, USA

Citizenship: United States of America

Post Office Address: 7130 Shoreline Drive, Apartment 1307
San Diego, California 92122 USA

Full name of third inventor: Timothy M. Eisfeld

Inventor's signature: Timothy M. Eisfeld

Date: 12-3-2001

Residence: ~~La Jolla~~ ^{San Diego}, California, USA
~~ME 12-3-2001~~

Citizenship: United States of America

Post Office Address: ~~8525 Villa La Jolla Drive, Apartment E~~
~~La Jolla, California 92037 USA~~

11161 Ice Skate Place
San Diego CA 92126

~~ME~~
12-3-2001

Inventors: Koller et al.
Serial No.: 09/961,691
Filed: September 21, 2001
Page 4

Full name of fourth inventor: Bernhard Ø. Palsson

Inventor's signature: Bernhard Palsson

Date: 12/3/01

Residence: La Jolla, California, USA

Citizenship: United States of America

Post Office Address: 730 Fern Glen
La Jolla, California 92037 USA